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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

841 Chestnut Building  
Philadelphia, Pennsylvania 19107

ORIGINAL

CERTIFIED MAIL

JUN 13 1988

RETURN RECEIPT REQUESTED

In Reply Refer to: 3HW17

Mr. Phil Knotts  
Knotts, Inc.  
700 Wilmington Rd.  
New Castle, DE 19720

Re: Request for Information Pursuant to Section 104 of  
CERCLA and Section 3007 of RCRA for the Delaware Sand and  
Gravel Site.

Dear Mr. Knotts:

The United States Environmental Protection Agency (EPA) is currently investigating the source, extent and nature of the release or threatened release of hazardous substances, pollutants or contaminants, or hazardous wastes on or about the Delaware Sand and Gravel Site in New Castle County, Delaware (the "Site"). This investigation requires inquiry into the identification, nature, and quantity of materials that transported to, the Site and the nature or extent of a release of contaminants at or from the site. EPA also is seeking information relating to the ability of a person to pay for or to perform a cleanup of the Site. Your company is requested to furnish all information and documents in its possession, custody or control, or the possession, custody or control of any of its officers, employees or agents which concern, refer or relate to hazardous substance as defined by Section 101(14) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. Section 9601(14), which were transported to, stored or disposed of at the Delaware Sand and Gravel Site.

The Site was operated by Joseph and Vincent Dell Aversano as the Delaware Sand and Gravel Company. EPA has information indicating that Knotts has an interest in Harvey and Knotts, which hauled hazardous substances disposed of at the Delaware Sand and Gravel site.

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Pursuant to the authority of Section 104 of CERCLA, the Administrator of the Environmental Protection Agency has the authority to require any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes or substances, to furnish information related to such wastes and/or substances, 42 U.S.C. Section 9604, as amended, and Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6927. You are hereby required to answer the following questions, and to provide all documents in your possession relating to the following.

EPA has information indicating that Harvey & Knotts, Inc. transported hazardous substances which were disposed of at the Delaware Sand and Gravel Landfill.

Your response should reference the 1962 - 1977 time frame and should include, but not be limited to information and documentation concerning:

1. The dates that Harvey & Knotts used the Glasgow property (also known as Shelly Farms) to treat, store or dispose of wastes;
  - a. any other names that were used to refer to the Glasgow property (example, Shelly Farms or Gander Neck?);
  - b. if "Gander Neck" was not commonly used to refer to the Glasgow property, state what it did refer to;
2. The dates that Harvey & Knotts or Harvey & Harvey used the Newport property to treat, store or dispose of wastes;
  - a. any other names that were used to refer to the Newport property (example, Kelters?);
  - b. if "Kelter" was not commonly used to refer to the Newport property, describe the property that it referred to;
3. The dates that Harvey & Knotts transported wastes from the General Motors, Wilmington, DE facility;
  - a. the locations at which Harvey & Knotts treated, stored or disposed of General Motors' wastes;

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b. the types, quantities and chemical composition of wastes transported by Harvey & Knotts;

c. the state (i.e. liquid, solid, or gaseous) of the substances transported by Harvey & Knotts and the manner in which the substances were transported (i.e. drummed, in dumpsters or in other types of containers);

4. The dates that Harvey & Knotts transported wastes from any other General Motors facility to the Delaware Sand & Gravel Landfill;

a. the address of the facility from which the wastes were transported;

b. provide the types, quantities and chemical composition of wastes transported to the the Delaware Sand and Gravel Landfill and the frequency of hauling;

c. the state (i.e. liquid, solid, or gaseous) of the substances transported to the Delaware Sand and Gravel Landfill, and the manner in which the substances were transported (i.e. drummed, in dumpsters or in other types of containers) hauled by roll-off or stake-body trucks;

5. The dates that Harvey & Knotts transported wastes from the Amoco Chemical Company, New Castle, DE facility;

a. the locations at which Harvey & Knotts treated, stored or disposed of Amoco's wastes;

b. provide the types, quantities and chemical composition of wastes transported to the the Delaware Sand and Gravel Landfill;

c. the state (i.e. liquid, solid, or gaseous) of the substances transported to the Delaware Sand and Gravel Landfill, and the manner in which the substances were transported (i.e. drummed, in dumpsters or in other types of containers);

6. The dates that Harvey & Knotts transported wastes from the NVF Company, Kennett Square, PA facility;

a. the locations at which Harvey & Knotts treated, stored or disposed of NVF's wastes;

b. provide the types, quantities and chemical composition of wastes transported to the the Delaware Sand and Gravel Landfill;

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c. the state (i.e. liquid, solid, or gaseous) of the substances transported to the Delaware Sand and Gravel Landfill, and the manner in which the substances were transported (i.e. drummed, in dumpsters or in other types of containers);

7. The identity of those individuals from your company who were drivers at each of the above named facilities at the time the wastes were transported;

- a. include the last known whereabouts of those who have left your employment through retirement or separation;
- b. current positions of those still employed by your company;
- c. identify those parties who assisted in putting this response together;

6. (b)(1)  
(c)

8. If information or documentation regarding the above questions are not available, provide the identity and current address and telephone number of any person who has information relating to these matters.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each and every Information Request within seven (7) days of receipt of this letter, or to adequately to justify such failure to respond, can result in enforcement action by EPA pursuant to Section 104(e) of CERCLA, as amended, and/or Section 3008 of RCRA. Each of these statutes permits EPA to seek the imposition of penalties of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001 or Section 3008(d) of RCRA.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501, et seq.

Your response to this Information Request should be mailed to:


Terry Stilman  
U.S. Environmental Protection Agency, Region III  
SARA Special Sites Section (3HW17)  
841 Chestnut Building  
Philadelphia, PA 19107

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Due to the seriousness of the problem at the Site and the legal ramifications of your failure to respond properly, EPA strongly encourages you to give this matter your immediate attention and to respond to this Information Request within the time specified above. If you have any legal or technical questions relating to this Information Request, you may consult with the EPA prior to the time specified above. Please direct legal questions to Ms. Karen Kellen of the Office of Regional Counsel at (215) 597-5499. Technical questions should be directed to Mr. Terry Stilman at the above address, or at (215) 597-0984.

Thank you for your cooperation in this matter.

Sincerely,



*for* Bruce P. Smith, Branch Chief  
Hazardous Waste Enforcement Branch

cc DNREC

AR200717

P-609 072 389

RECEIPT FOR CERTIFIED MAIL

Phil Kots  
Kotts, Inc  
New Castle, DE

PS Form 3800, June 1987

EXPRESS MAIL

Not for showing to agent  
and insurance carrier

TOTAL Postage and Fees

POSTAGE IN FULL

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● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery  
†(Extra charge)†

3. Article Addressed to: Mr. Phil Knott Knotts, Inc 700 Wilmington Rd New Castle DE 19720	4. Article Number P609 072 389 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>
5. Signature - Addressee X Barber Knotts	8. Addressee's Address (ONLY if requested and fee paid) ORIGINAL (Red)
6. Signature - Agent X	
7. Date of Delivery 6-15	

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PS Form 3811, Mar. 1987

★ U.S.G.P.O., 1987-178-268

DOMESTIC RETURN RECEIPT